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HITLER AND THE GERMAN POLITICAL CRISIS, 1932-1933

by

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with the aid of the Research Staff of the Foreign Policy Association

ON March 5, 1933, in an endeavor to break the political deadlock which the last two general elections have only intensified, the German people will participate in their sixth major election in twelve months. On the same day Prussia will elect a Diet to replace the body which for eleven months has been unable to appoint a Cabinet to administer the largest state in the Reich.

The shift in the German party line-up since the November 1918 revolution does not augur well for the election of workable parliaments on March 5. The chart on the opposite page illustrates the marked trend toward extremism during the past fourteen years. It also shows that the swing to the extreme Right has been at the expense of the more moderate bourgeois parties of the Right and the Middle. The Middle group, which now includes only the two Republican Catholic parties, and

the proletarian Left have managed to maintain their strength practically unchanged. Within the Left, however, there has been a large shift with the continued growth of the extreme Communist party, whose support has been drawn from the more moderate Social Democrats.

These party shifts would seem to indicate that the present conservative government under Hitler cannot acquire an additional two and a half million votes, the probable minimum necessary for a majority in the new Reichstag. The Nazis have won their supporters in the past from the Right parties, with which they are at present allied, and from those who previously did not vote. Nevertheless, with the prestige and enthusiasm of newly acquired office, as well as complete control over the radio and a rigorous press and assembly censorship, the present coalition holds all the trumps.

THE POLITICAL SITUATION, APRIL TO JULY, 1932

The tide of Hitlerism reached a peak in the summer of 1932. In the four major elections held between March 10 and July 31, 1932, the movement registered heavy gains although in a slightly reduced tempo. Thus, in the first presidential poll on March 10, Field Marshal von Hindenburg received 18,654,244 votes to Hitler's 11,341,119.¹ In the "run-off" election on April 10, the President was re-elected by a clear majority of 53 per cent, rolling up a total of 19,361,229 votes to Hitler's 13,418,676.² President von Hindenburg, therefore, remained the one stable element in the German political situation.

This fact became even more apparent after the state elections in Prussia, Bavaria, Württemberg, Anhalt and Hamburg—comprising five-sixths of the Reich—which took place on April 24. Although the National Socialists received an average of about 35 per cent of the votes in these polls, nowhere were they able to obtain a majority. The

Nazis almost entirely absorbed the smaller conservative parties, the Social Democrats lost heavily, and the Communists made slight gains. Coalition government in large sections of the Reich became impossible; it was therefore necessary, for the most part, to retain the old Cabinets to carry on the administration of the government.

The situation in Prussia, a state which comprises two-thirds of Germany, was especially serious for, as a result of the April elections, the Nazis and the Catholic Center party controlled a majority in the Prussian Diet, and negotiations for a possible coalition between these two parties were unsuccessful. The government of Otto Braun—consisting of Social Democrats, Centrists and Democrats which had ruled Prussia since 1925—remained to administer affairs.

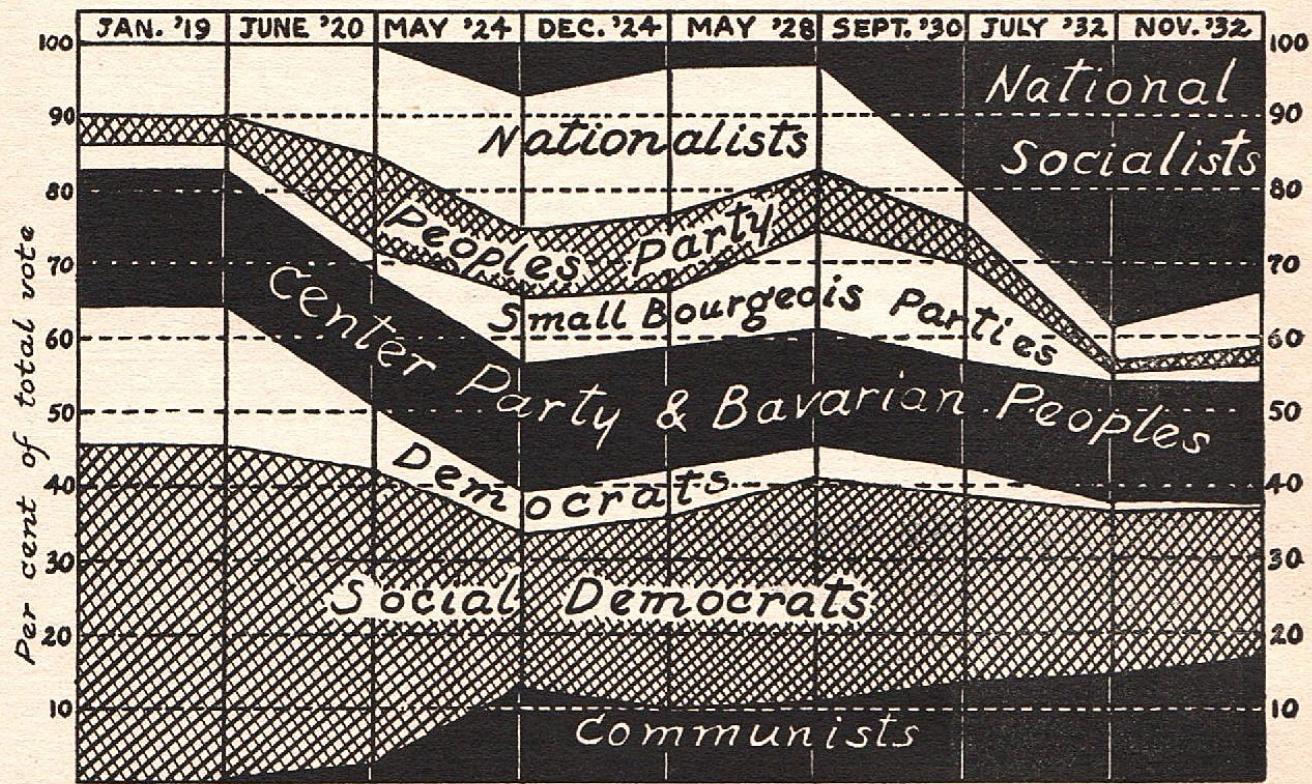
The Braun government in Prussia had long been regarded by German moderates as one of the three principal pillars of the Reich; President von Hindenburg, impelled by his stern sense of duty to maintain his oath to uphold the Constitution, was the second; the third was the Reich government of Chancellor Heinrich Brüning who, al-

1. *Der Heimatdienst*, XIIth year, No. 6, 2nd Märzheft 1932. There were three other candidates also running.

2. *Ibid.*, No. 8, 2nd Aprilheft 1932. Vera Micheles Dean and Mildred S. Wertheimer, "The Political Outlook in Germany and France," *Foreign Policy Reports*, Vol. VIII, No. 4, April 27, 1932.

though governing entirely by means of drastic decrees issued under Article 48 of the Weimar Constitution, had at least preserved the forms of that Constitution by securing indirect parliamentary assent to his measures. This was possible only through Social Democratic toleration of the Brüning government in which that party was not represented. The National Socialists, at that time the second largest party in the Reichstag, were in noisy opposition and Dr. Brüning made no attempt to force them into the responsibilities of office, probably because of

ness in the Reich had greatly increased. Despite Hitler's defeat in the presidential poll, the state elections in the spring of 1932 registered the continued growth of the National Socialist movement. More and more voices were raised against the "Brüning system"—the all-embracing epithet of the Hitlerites for everything against which their agitation was directed. Political riots and bloodshed increased, and there was latent civil war. In an attempt to restore order, General Groener, Minister of Defense and of the Interior in the Brüning Cabinet, de-



CHANGES IN PARTY POWER⁵

his desire to retain foreign confidence. Brüning managed to steer Germany through the 1931 financial crisis,⁶ hoping that a major success in foreign affairs would strengthen his hand and that international economic action, along the lines of the two Basle reports, would pull Germany out of the financial mire and deflate the Nazi movement.

Dr. Brüning's hopes were not realized. The Lausanne Reparation Conference, first scheduled to convene in January 1932, was postponed until June; the Disarmament Conference dragged on in Geneva and made no move toward recognizing the German claim for equality.⁷

Meanwhile political tension and bitter-

creed the dissolution of Hitler's private army on April 13.

On May 12 the Reichstag defeated a motion of non-confidence in the Brüning government by a margin of 30 votes, but on the same day General Groener resigned as Defense Minister—although he remained as Minister of the Interior. It was evident that Groener had been forced out because he had lost the confidence of the Reichswehr Ministry, particularly General Kurt von Schleicher, the permanent chief⁸ of that Ministry.⁹ On May 30 the storm broke and

5. Cf. Mildred S. Wertheimer, "The Lausanne Reparation Settlement," *Foreign Policy Reports*, Vol. VIII, No. 19, November 23, 1932; also William T. Stone, "The World Disarmament Conference: Second Stage," *Foreign Policy Reports*, Vol. VIII, No. 23, January 18, 1933.

6. *Chef des Ministeramtes.*

7. Cf. *Der deutsche Volkswirt*, May 20, 1932; also Kurt Caro and Walter Oehme, *Schleicher's Aufstieg* (Berlin, Rowohlt, 1933), p. 222 *et seq.*

3. Taken from chart published in *Die Tat* (Jena, Eugen Diederichs Verlag), September 1932.

4. Cf. Mildred S. Wertheimer, "The Financial Crisis in Germany," *Foreign Policy Reports*, Vol. VII, No. 26, March 2, 1932.

Chancellor Brüning and his entire Cabinet resigned.

Brüning fell, not because of the withdrawal of Reichstag confidence, but due to the increased pressure which was brought to bear on President von Hindenburg. The immediate reason for the President's refusal, on the eve of the Lausanne Conference, to accord his Chancellor a free hand in directing German policy was von Hindenburg's opposition to a projected emergency decree. This measure undertook to secure small land allotments for the unemployed by dividing up many large, bankrupt East Prussian estates. The underlying reason for Brüning's dismissal, however, was the President's conviction, reinforced by the arguments of influential conservative advisers,⁸ that the Brüning government no longer represented the German people. Dr. Brüning, at the urgent request of von Hindenburg, had taken office in March 1930 as a conservatively inclined chancellor.⁹ The course of events during the next two years, however, particularly the rising tide of Hitlerism, had forced him to rely increasingly on the Socialists and the Catholic Center for support. In May 1932 President von Hindenburg was persuaded that the time had come to part with Brüning, despite the fact that the latter was primarily responsible for Hindenburg's re-election to the presidency, and without regard for the Reichstag's recent vote of confidence in the Chancellor. The German conservatives felt that by harnessing the Nazis to governmental responsibility the Reich might secure a strong and stable national government,¹⁰ which alone, they were convinced, could win concessions abroad and keep order at home. Furthermore, it seemed apparent that the Reichswehr no longer had confidence in the Brüning government, a factor which no doubt especially disturbed the old Field Marshal.

PAPEN-SCHLEICHER GOVERNMENT

As a result, after conversations with most of the parliamentary leaders—a proceeding which somewhat preserved constitutional forms—President von Hindenburg on May 31 asked Colonel Franz von Papen, then a right wing Centrist, to form a government of "national concentration," apparently hoping to assure the toleration of the Catholic Center party for the new Ministry.¹¹ The

8. The President's son, Major Oscar von Hindenburg, his Chef du Cabinet, Dr. Otto Meissner, and General von Schleicher were apparently the real actors in the drama, although behind the scenes. Cf. Caro and Oehme, *Schleicher's Aufstieg*, cited.

9. Cf. Mildred S. Wertheimer "The Significance of the German Elections," Foreign Policy Association, *Information Service*, Vol. VI, No. 13, September 13, 1930.

10. Cf. *Frankfurter Zeitung*, May 29, 30, 31, June 1, 2, 1932; *Der deutsche Volkswirt*, June 3, 10, 1932.

11. It was evidently hoped to secure the services of Dr. Brüning at the forthcoming Lausanne Conference; however, he refused the offer of the Foreign Ministry in the Papen Cabinet. Cf. *Frankfurter Zeitung*, May 31, 1932.

Center, however, smarting under the dismissal of its leader, Dr. Brüning, went into opposition and von Papen resigned from the party.

The Papen-Schleicher government took office with little or no apparent parliamentary support. It was designated as a presidial Ministry responsible to the President alone, and was entirely satisfactory to the Reichswehr. The new Cabinet, which for the most part consisted of non-party aristocrats of the class which before the war ruled Germany, was announced on June 2 as follows:¹²

| | |
|-----------------|----------------------------|
| Chancellor: | Colonel von Papen |
| Interior: | Baron von Gayl |
| Foreign: | Baron von Neurath |
| Finance: | Count Schwerin von Krosigk |
| Commerce: | Professor Warmbold |
| Defense: | General von Schleicher |
| Justice: | Dr. Görtner |
| Agriculture: | Baron von Braun |
| Transportation: | Baron von Eltz-Rübenach |
| Labor: | Dr. Schaeffer |

The Nazis, it will be noted, were not represented. It was reported, however, that a gentlemen's agreement had been reached between Hitler and the new rulers of the Reich, to the effect that in return for certain concessions the Nazis would not oppose the government. These concessions were said to be dissolution of the Reichstag and new elections—which could not fail to result in greatly increased Nazi representation in the new Parliament—and the removal of the ban on the Hitler Storm Troops.¹³

Events bore out the report that an effort would be made to propitiate the Nazis. On June 4 President von Hindenburg dissolved the Reichstag, which was not in session, on the ground that state elections during the past months had shown that the Parliament no longer represented the will of the people, and new Reichstag elections were announced for July 31.¹⁴ The Papen-Schleicher government had not dared to risk its official life by facing the Reichstag, in which it could have counted on the support of less than one-tenth of the deputies.

Nevertheless, the Reich government, despite pressing political and financial tasks, had at once taken steps to break the Prussian deadlock. This action not only aroused opposition and resentment in Catholic and Social Democratic circles in Prussia, but was viewed with particular alarm in South Germany. On June 7 Chancellor von Papen attempted to bring financial pressure to bear on Prussia, and also requested the Nazi president of the Prussian Diet to convene that body as soon as possible. Papen's move was ostensibly based on the need for a re-

12. *Frankfurter Zeitung*, June 3, 7, 1932. The Papen government has often been called the Cabinet of Barons.

13. Cf. p. 309. *New York Herald Tribune*, June 4, 1932; *Frankfurter Zeitung*, June 7, 1932.

14. *Frankfurter Zeitung*, June 4, 7, 1932.

sponsible Prussian government with which financial questions could be settled, but rumors at once began to circulate that the Chancellor was actually seeking to provoke open conflict as an excuse for installing a Reich Commissioner. Such a development, from the point of view of the Papen-Schleicher régime, would have the advantages of removing the liberal Braun government from office and placing the powerful Prussian police in the hands of the Reich. It was intimated, moreover, that a clarification of the situation in Prussia might be looked on with favor by Hitler.¹⁵

It should be noted that plans to abolish the dual régime by bringing the Prussian administration under the Reich authorities had long been discussed.¹⁶ In fact, the relations of the Reich and its component states has always been recognized as a major German problem. Its solution, however, was envisaged as possible only by democratic methods, with due consideration of local feeling in all parts of the Reich. The energetic moves of the Papen government in the matter of Prussia at once inflamed particularist sentiment in South Germany. The situation was further aggravated on June 16 by the government's action in lifting the ban on the Hitler Storm Troops—the second major concession of the Reich government to the Nazis. Disturbances and riots, with many casualties, immediately increased throughout the Reich. The South German states, jealous of their authority and genuinely concerned with the difficulty of maintaining order within their borders, met the situation by renewing the ban on political uniforms within their territories.¹⁷ On June 22, at a conference between the Reich Minister of the Interior, von Gayl, and the Interior Ministers of the states, von Gayl "urgently requested the states to adapt their political legal measures to those of the Reich."¹⁸ Two days later, however, Bavaria took even stronger measures to preserve order. Finally, on June 28, the Reich government issued a second emergency decree "to protect public order," providing similar legal measures for the entire Reich and abrogating state decrees which were not consistent with this action. State officials, however, were given the right to prohibit political meetings "in case of unquestionable danger to public safety."¹⁹

Thus, during its first month in office, the Papen government succeeded in stirring up South German particularism without either propitiating the Nazis or clarifying the

Prussian situation. Political bitterness had increased and the campaign preparatory to the July 31 elections was marked by a mounting casualty list. The most serious riot took place on July 17 in Altona, where a National Socialist parade through the Communist section of the city caused severe fighting in which 15 were killed and 70 wounded.²⁰ As a result, the Reich government on July 18 decreed a ban on demonstrations throughout the Reich, forbidding all open-air meetings and parades, and imposing severe punishments for offenses against the decree.

PRUSSIAN COUP D'ETAT

An even more important result of the Altona riots was von Papen's action in ousting the Braun government and installing a Reich Commissioner in Prussia. This move was as radical as it was sudden. Without warning, Chancellor von Papen issued on July 20 an emergency decree under Article 48, paragraphs 1 and 2, naming himself Reich Commissioner and Prussian Minister of the Interior, and appointing Dr. Bracht, the chief mayor of Essen, as his permanent representative to administer these offices. Simultaneously, the Reich government dismissed from office Minister President Otto Braun²¹ and Minister of the Interior Severing—both Socialists—and placed Berlin and the province of Brandenburg under martial law. Herr Severing refused to desert his post and was temporarily arrested by a Reichswehr lieutenant and two men. At the same time, the Socialist police president of Berlin, Grzenski, the Commandant of the Berlin police, Colonel Heimannsberg, and the Socialist vice-president of the Berlin police, Dr. Weiss, were forced out of office. These officials refused to submit and were promptly arrested by Lieutenant-General Rundstedt who, under the martial law decree, was in command of Berlin and Brandenburg, and who appeared at Police Headquarters with fifteen soldiers armed with hand grenades. The deposed officials were released after some hours and filed suits with the Reich Supreme Court against the government.

The reason given by the Reich government for its drastic action was the alleged inability of the Prussian authorities to cope with the so-called Communist menace which, von Papen declared, had been responsible for the terror and latent civil war of the past weeks.²² It was, however, generally admitted by impartial observers that before the ban on the Hitler Storm Troops had been lifted the Prussian police had had no diffi-

15. *Frankfurter Zeitung*, June 8, 9, 10, 1932.

16. Cf. particularly H. Höpker-Aschoff, "Reichsreform," *Der deutsche Volkswirt*, August 21, 1931; also *ibid.*, August 28, 1931.

17. *Frankfurter Zeitung*, June 23, 1932; *Der deutsche Volkswirt*, June 24, 1932.

18. Cf. *Frankfurter Zeitung*, June 23, 1932.

19. *Ibid.*, June 30, 1932.

20. *Ibid.*, July 19, 20, 1932.

21. Herr Braun was absent from Berlin on sick leave, and Dr. Hirtsiefer, a Centrist, was Acting Minister President of Prussia.

22. Cf. radio speech of von Papen on July 20. Text in *Frankfurter Zeitung*, July 21, 1932.

culty in keeping order. Other motives seem to have actuated the events of July 20.

The attitude of the Papen government in the Prussian question had been considered vacillating by both the Nazis and the Hugenberg Nationalists, who were bending every effort to gain control of that all-important state. In a speech on July 18, Geheimrat Hugenberg had brought pressure on Papen by stating:

"We [the German Nationalist People's party] expect the Reich government at this moment to make an immediate end of the Marxist scum in Prussia and to install a Reich Commissioner armed with all necessary powers. We Nationalists have no responsibility toward the Papen government, but we will be willing to support it in anything which would lead to the ending of the present impossible situation in Prussia."

The Hitlerites, for their part, also demanded the appointment of a Reich Commissioner, and the Nazi president of the Prussian Landtag, Kerrl, wrote an open letter to von Papen on July 18 blaming the Socialists and the Communists for the Prussian deadlock, and stating that the existing situation was fostering an increase in Marxian propaganda which threatened to undermine the very foundations of the state.²³ This pressure evidently stiffened the determination of the Papen-Schleicher régime.

From the government's point of view, the *coup d'état* of July 20, in addition to being a bid for Nazi and Nationalist support, had many advantages. The powerful Prussian police was removed from Socialist control and placed in the hands of the Reich. It could now be relied on, it was felt, as a reserve for the Reichswehr in case of serious internal disorders. The government's position was thus consolidated by concentrating power in its hands. Furthermore, the Prussian deadlock had been broken and the dualism between the Reich and Prussia abolished, clearing the way for the abrogation of much administrative duplication.

The first general reaction to the *coup d'état* was stunned amazement. The Hitlerites, however, were jubilant, many of their leaders stating publicly that the government's move was the direct result of Nazi

pressure; in their eyes, the first decisive step against the "November traitors"²⁴ had been taken. The Social Democrats and the Catholic Center party were of course not only incensed but gravely apprehensive over the consequences of the events of July 20. Nevertheless, with great self-control, the leaders confined themselves to strongly worded resolutions of protest, while exhorting their followers to maintain discipline and avoid disorder. Word went out to concentrate all efforts on demonstrating to the Papen-Schleicher government, through a peaceful revolution at the polls on July 31, that German democracy could not be trampled on.

In non-Prussian Germany there was not only bitterness against the government, but great uneasiness. As in Prussia, the particularistic, democratic South German states were administered by provisional "business governments" because the parliamentary deadlock had made it impossible to form new ministries. These states, furthermore, had already crossed swords with the Papen government in the matter of the prohibition of the Nazi Storm Troops. They therefore saw in the events of July 20 a possible precedent for action against themselves and were correspondingly alarmed despite the Reich government's denial of any such intention.

Meanwhile, the deposed Prussian Ministers had appealed to the Reich Supreme Court in Leipzig for a temporary injunction to restrain further removals of Prussian officials from office, and to restrict von Papen as Reich Commissioner for Prussia in the internal administration of the state. The Court handed down an interim decision on July 25, declining to grant this request. The real issue as to the constitutional right of the Reich government to intervene in the affairs of a state was not settled, however, the Court stating that a decision on this important point would be given later after a full investigation.²⁵ The legal aspects of the Papen government's action in Prussia remained completely obscure, and relations between the Reich and the state governments were greatly aggravated.

THE POLITICAL DEADLOCK, JULY TO NOVEMBER, 1932

The German people went to the polls on July 31 with passions roused to fever pitch.²⁶ The only party backing the Cabinet — the Hugenberg Nationalists — suffered a loss of four seats.²⁷ The National Socialist vote amounted to something more than one-third of the electorate. While it showed an immense increase compared with that cast in the 1930 Reichstag election, it was

only slightly larger than the vote polled by the party in the April 1932 state and presidential elections. Many observers believed that the movement had now reached its peak, and later events seemed to justify this opinion. The Hitlerites were not only unsuccessful in massing a majority of the German people under their banner, but lacked a majority even with the cooperation of the other Right parties although the

23. *Frankfurter Zeitung*, July 20, 1932.

24. A Nazi term of opprobrium for the Socialists, whom they accuse of betraying the Fatherland in the November 1918 revolution.

25. *Frankfurter Zeitung*, July 26, 1932.

26. *Der deutsche Volkswirt*, August 5, 1932.

27. Cf. p. 316 for table of 1930-1932 Reichstag election returns.

latter groups had gained strength. The combined Middle parties, on the other hand, remained exactly the same size. There were, however, shifts within the group, the democratic State party dwindling almost to nothing, while the two Catholic parties showed gains. On the Left, also, there was practically no change in the total proletarian vote. The Communists, however, made large gains at Socialist expense.

The large Communist vote was, in fact, the chief surprise of the election, for in previous polls during 1932, it had fallen off considerably. The success of the Communists on July 31 has been directly attributed to the lukewarm resistance of the Social Democrats to the action of the Papen Ministry in deposing the Prussian government. The Social Democrats had been faced with the difficult choice of resisting the Reich government through the proclamation of a general strike in cooperation with the Communists, or accepting a *fait accompli*. In March 1920, at the time of the Kapp *Putsch*, a general strike had defeated the attempted coup. In 1932, however, with more than five million unemployed in the Reich, the moderate Social Democrats felt that they dared not risk throwing the country into further economic chaos by provoking civil war. As a result, many of their erstwhile supporters lost patience with this attitude, and apparently turned to the Communists.²⁹

The problem of inducing the Nazis to accept governmental responsibility reappeared in even more pressing form after the elections. The only possibility for coalition government appeared to be through Nazi-Center cooperation, for these two groups together commanded a bare majority in the new Reichstag. The Centrists were apparently willing to enter such a combination in the hope of re-establishing constitutional government. Back-stage negotiations between the two parties were carried on early in August, but it soon became apparent that Hitler would accept nothing less than the Chancellorship. Meanwhile, despite von Hindenburg's proclamation of a political truce, a veritable reign of terror, involving murders, bomb outrages and riots, had broken out. In view of the dangerously disturbed situation, Hitler's aspirations for sole power seemed incongruous to many Germans.

On August 9 the Reich government finally took drastic action to restore public safety and order. After several warnings, emergency decrees were promulgated extending the ban on demonstrations until August 31, 1932, and setting severe penalties for its infraction, including sentence of death for political murders, arson, destruction of property by explosives, or the endangering of

railway traffic. Imprisonment of not less than ten years for slightly less extreme cases was decreed, and even for minor offenses the penalties were severe. Special courts were set up to administer these laws.

On the night the new decrees came into force, a gang of Nazis shot and killed a Communist in Beuthen, Upper Silesia, and brutally mistreated the body. One of the new special courts promptly tried those concerned in the affair and sentenced five Nazis to death. The verdict was the occasion for a mob demonstration against the liberal newspapers and Jewish department stores in Beuthen. The Nazi press took up the cause of the condemned men and Hitler himself telegraphed them: "From this moment your freedom is a question of our honor and a fight against a government under which this sentence has been possible is our duty." Strong Nazi protests were sent to the President and von Papen urging immediate pardon, but the government insisted that impartial justice must be done.³⁰

Meanwhile, with public feeling aroused to the highest pitch by the terror and general uncertainty, negotiations to bring Hitler into the government were continued. Apparently the Catholic parties, under certain conditions, were willing to enter a coalition with the Nazis—even with Hitler as Chancellor; the Hitlerites, however, would not accept these conditions. On August 10 President von Hindenburg is reported to have expressed himself as opposed to allowing Hitler to become Chancellor.³¹

On August 13 the long-awaited interview between the President and the Nazi leader took place in Berlin. It lasted fifteen minutes. President von Hindenburg asked Hitler whether he and his followers were ready to enter the Papen Cabinet. Hitler refused the proffered Vice-Chancellorship, demanding leadership of the Reich government and entire power. In reply the President stated that his conscience and his duty to the Fatherland would not allow him to give complete power to the National Socialist movement, and expressed regret that Herr Hitler did not find it possible to support the national government as he had promised before the Reichstag elections. The interview closed with the earnest appeal of the President that Hitler carry out his announced opposition to the government in a chivalrous manner and realize his (Hitler's) responsibility to the Fatherland and to the German people.³²

Thus despite the gentlemen's agreement,³³ the attempt to induce the Nazis to cooperate positively with the government had failed

29. The sentence was eventually commuted to life imprisonment, on the ground that the new decrees had gone into force only 90 minutes before the murder was committed.

30. *Frankfurter Zeitung*, August 11, 1932.

31. *Ibid.*, August 14, 1932, official communiqué.

32. Cf. p. 310.

again. Hitler, backed—or forced—by his advisers, demanded “all or nothing.”

As a result, the Papen-Schleicher Cabinet had no opportunity to secure the confidence or toleration of the Reichstag which was to convene on August 30, and the government therefore announced that it would dissolve the Reichstag and call new elections. The Reichstag, nevertheless, met on schedule, and elected as its president the National Socialist deputy, Captain Hermann Goering. The session was surprisingly orderly, and the shadow of impending dissolution led the Nazis—traditional foes of constitutional government—to become the champion of a parliamentary régime, protesting that the Reichstag was capable of “constructive” work and should not be excluded from its share in governing the Reich. The parliament then adjourned until September 12, hoping to be able to convince President von Hindenburg in the interval that there was no need for dissolution.

This, however, proved impossible. Continued negotiations between the Center and the Nazis were unsuccessful. The Reichstag reconvened on September 12 and, after a stormy session during which there was great confusion in regard to constitutional procedure and rules of order, was dissolved by the government before the Chancellor had presented his program. A Communist motion of non-confidence, however, was unexpectedly brought to a vote and passed by the huge poll of 512 to 42, only the Hugenberg Nationalists and the People's party supporting the Cabinet. Although the motion was later declared null and void, having been enacted by an already dissolved parliament, it nevertheless gave striking evidence of the unpopularity of the Papen régime.

Thus, by the use of rather questionable constitutional methods, a government with the support of less than one-tenth of the German electorate remained in office. The Cabinet's official reason for dissolving the Reichstag and calling new elections, which were later fixed for November 6, was its conviction that the newly announced economic program had to be put into effect and that the Papen Ministry, therefore, must remain to carry out the task.

The government's economic program as promulgated in the emergency decree of September 5, provided for indirect credit inflation by the issue of tax credit certificates acceptable from 1934 to 1938 for the partial payment of all except income taxes. These certificates were to be used to refund part of the taxes paid by industrialists which have been regarded as especially crippling to industry. The decree further provided bonuses in the form of tax credit certificates for employers who hired additional workers.

Provision was made for large appropriations for public works and virtually full power was given the Reich government to revise the social insurance legislation and the collective wage agreements, as well as the compulsory wage arbitration system.³³ The decree also envisaged the introduction of agricultural import contingents.

The reception of this decree was mixed. Industrialists were strongly in favor of it, since its provisions were undoubtedly to their advantage. Nevertheless, they entertained grave doubts regarding its promise to introduce agricultural contingents. The workers, on the other hand, were highly skeptical as to its success, and fearful that it would be the means of nullifying most, if not all, of their hard-won privileges—notably the social insurances, the fixed wage system and the arbitration of labor disputes.³⁴ The decree also proved unacceptable to the Nazis, either from the point of view of social welfare or from pique against the Cabinet.

The serious differences of opinion regarding the Papen government's energetic action in the economic field were paralleled by the general reaction to statements by various Cabinet members forecasting extensive constitutional and social reforms. The parliamentary impasse which had furnished the *raison d'être* for the introduction of presidential government emphasized the need for constitutional reforms; however, the depth of German political passions—both cause and effect of the deadlock—made it equally difficult, if not impossible, to institute the necessary changes. Thus, in his first Ministerial Declaration on June 4, von Papen immediately antagonized and embittered the Left as well as part of the Middle parties by stating that German financial difficulties were due mainly to mounting social costs. Despite the partial truth of this statement, his further remark that the Reich had become a “charity state”³⁵ and that the moral forces of the nation had been weakened by steadily increasing state socialism did not enhance his prestige except in the eyes of big industry and agriculture. Von Papen's forcible removable of the Socialist Ministers in Prussia on July 20 seemed further evidence of anti-labor tendencies, and the government's economic program reinforced this impression. The unpopularity of the “Cabinet of Barons” was further increased by the speech of Minister of the Interior von Gayl on August 11, the anniversary of the signing of the Weimar Constitution, in which he indicated the amendments to that instrument which the Cabinet felt were essential. The suggested changes were designed to in-

33. Text of the September 5, 1932 decree in *Frankfurter Zeitung*, September 6, 1932.

34. Cf. *Frankfurter Zeitung*, September 9, 1932.

35. *Wohlfahrtsstaat*

crease the power of the Executive, and strengthen the federal government *vis à vis* the states. Many of these reforms had been thoroughly studied and discussed in the Reich, and for years had been considered necessary. The fear that they would be summarily forced on the people by decree, however, motivated the unfavorable reception which they were generally accorded. The events of July 20 in Prussia, moreover, seemed to many, particularly in South and Southwest Germany and among the workers, to be symptomatic of the Cabinet's intentions in other matters.

The position of the Papen government was further weakened by a final decision of the Supreme Court of the Reich in the Prussian question, handed down on October 25.³⁶ The Court ruled that the suspension of the Prussian government and appointment of a Reich Commissioner for Prussia were constitutional under Article 48, since, in its opinion, law and order in Prussia had been endan-

gered on July 20. The Court, held, however, that the suspension of the Prussian Cabinet was constitutionally valid only as a temporary measure; and, further, that the suspension deprived the Prussian Ministers of their administrative functions only. The Cabinet's right to represent Prussia in the Reichsrat (Federal Council) and in Prussia's relations with the other German states could not be abrogated. The Braun Ministry, therefore, remained the constitutional Prussian government while the acts of the Reich Commissioner for Prussia and his deputy were deemed valid only in the field of administration. In general, both sides were able to claim the decision as a victory and it contributed little to an immediate clarification of the situation.³⁷ Moreover, von Papen's action in replacing Social Democratic Prussian officials with more conservative men, indicated that the Reich government did not regard the existing order in Prussia as temporary despite the decision of the Supreme Court.

NOVEMBER 6 ELECTIONS FAIL TO BREAK DEADLOCK

Although markedly unpopular throughout the Reich because of its domestic policies, the Papen Ministry hoped that its strong stand in foreign affairs would serve to win it support at the polls on November 6. Von Papen's undoubted success at the Lausanne Conference, which had virtually wiped out German reparation,³⁸ and the government's renewed and energetic demands for equality in armaments³⁹ were calculated, from the internal political point of view, further to steal Hitler's thunder and add to the prestige and strength of the Papen Ministry. The latter, however, had been formed as a non-party government, and was definitely backed by only one party—the Hugenberg Nationalists. In order to register support of the Papen policies at the polls, it was therefore necessary to vote for the Nationalists, a conservative Protestant party which appealed, for the most part, only to large agricultural and industrial interests. Thus, in a sense, the election of November 6 was fought in a vacuum without either clearly defined issues or sharply drawn fronts.

While the poll on November 6 did not serve to break the parliamentary deadlock, it reflected two major shifts in German pub-

lic sentiment; the Nazis lost 34 seats, and the Communists gained 11. At the same time, the Nationalists regained 14 mandates, apparently at Hitler's expense. The terror which obtained immediately after the July 31 elections and Hitler's defense of the Storm Troopers convicted in the Beuthen murder case had evidently frightened and alienated many of the Nazi leader's former supporters. Furthermore, Hitler's refusal to accept the proffered post of Reich Vice-Chancellor on August 13, 1932⁴⁰ and his subsequent critical remarks about President von Hindenburg had made a bad impression. Finally, there had been considerable dissatisfaction among the younger and more radical Hitler followers, who were impatient with his "legal tactics." Recognizing that some of their relatively moderate bourgeois supporters were returning to the government camp and hoping to prevent further defections among the younger radicals, the Nazis had appealed primarily to the workers during the campaign. A transit strike in Berlin on the election day week-end, put through under combined Nazi and Communist leadership, is an example of their tactics.

Despite the election agitation of the Hitlerites, however, the Nazi losses on November 6 do not seem to have accrued to the Communists. On the contrary, the latter's gain of 11 seats was apparently made at the expense of the Social Democrats who lost 12 mandates. Beside the changes in the Nazi, Social Democratic and Communist camps, the November 6 election showed a continued

36. Cf. p. 311.

37. Cf. *Preussen contra Reich vor dem Staatsgerichtshof* (Berlin, J. H. W. Dietz Nachf. Verlag, 1933). This volume contains the complete stenographic report of the hearings before the Court from October 10 to 14 and on October 17, 1932, as well as full text of the decision and an explanatory foreword by Dr. Arnold Brecht, counsel for Prussia in the proceedings.

38. Wertheimer, "The Lausanne Reparation Settlement," cited.

39. Cf. Stone, "The World Disarmament Conference: Second Stage," cited.

40. Cf. p. 313.

shrinkage in the representation of the smaller parties. The following table, summarizing the results of the elections of July 31 and November 6, 1932, as well as the parliamen-

tary situation after the vote on September 14, 1930, indicates the trend of political opinion in the Reich during the period of parliamentary and economic crisis.

1930-1932 REICHSTAG ELECTION RETURNS*

| Parties | November 1932 | | July 1932 | | September 1930 | |
|--|---------------|------------------|-----------|------------------|----------------|------------------|
| | Seats | Percent of Total | Seats | Percent of Total | Seats | Percent of Total |
| <i>Extreme Right</i> | | | | | | |
| National Socialist | 196 | 33.6 | 230 | 37.9 | 107 | 18.6 |
| <i>Right</i> | | | | | | |
| German National People's | 51 | 8.8 | 37 | 6.1 | 41 | 7.1 |
| German People's | 11 | 1.9 | 7 | 1.2 | 30 | 5.1 |
| Economic | 1 | 0.2 | 2 | 0.3 | 23 | 4.0 |
| Other Parties | 12 | 2.0 | 9 | 1.2 | 55 | 6.6 |
| <i>Middle and Moderate Left (Republican)</i> | | | | | | |
| Catholic Center | 69 | 11.8 | 75 | 12.4 | 68 | 11.8 |
| Bavarian People's | 20 | 3.4 | 22 | 3.6 | 19 | 3.3 |
| State | 2 | 0.3 | 4 | 0.7 | 14 | 2.4 |
| Social Democratic | 121 | 20.8 | 133 | 21.9 | 143 | 24.8 |
| <i>Extreme Left</i> | | | | | | |
| Communist | 100 | 17.2 | 89 | 14.7 | 77 | 13.3 |
| Totals | 583 | | 608 | | 577 | |

*Der Heimatdienst, Jahrgang XII, No. 16, 2 Augustheft 1932; Frankfurter Zeitung, August 16, 1932; Reichstagshandbuch V Wahlperiode, 1930, Hrsg. vom Bureau des Reichstags, Berlin, Reichsdruckerei, 1930.

The election had shown conclusively that the great majority of the German people were opposed to the Papen government; the feeling against the Ministry and in particular against the Chancellor was unmistakable. As a result, von Papen felt it necessary after the election to state that the way was now clear for the formation of a "real government of national concentration," and that for his part the question of personalities would not be allowed to block such development. President von Hindenburg on November 10, therefore, charged von Papen to sound out the various party leaders with a view to ascertaining which groups were ready to support the government's political and economic program. These conversations brought out the fact that only the Hugenberg Nationalists and the People's party were willing to back von Papen; the Catholic parties withheld their support, while the Social Democrats refused even to negotiate. The Nazis, however, declared themselves willing, under certain circumstances, to engage in written negotiations with the Chancellor. Realizing the hopelessness of its position, the Papen Cabinet resigned on November 17.

President von Hindenburg thereupon took over the task of setting up a government. On November 19 the President received Adolf Hitler, who assured him that he could form a government acceptable to the Reichstag. On November 21, at a second meeting, von Hindenburg charged Hitler, "as the leader of the largest German party," to determine whether and under what conditions he could be sure of a "secure, positive majority

for a strong, unified program." On the same day the President laid down in writing several conditions which he considered a *sine qua non* for the formation of such a Ministry. These included the formulation of a workable economic program, no attempt to return to the former dual relationship between the Reich and Prussia, and no tampering with Article 48 of the Constitution. Furthermore, in the matter of personnel, the President insisted that he must have the final decision regarding the list of Ministers, and reserved the right to appoint the Foreign Minister and the Minister of Defense as consistent with his legal position as head of the Reich and Commander-in-Chief of the army. Following this communication, there was a further exchange of letters between Hitler and the President's Secretary of State, Dr. Meissner, regarding the definition of presidial government, in which it was stated that von Hindenburg could not appoint as Chancellor, in a government responsible to the President alone, the leader of a party which demanded sole power for itself. Despite this statement, Hitler wrote von Hindenburg on November 23 requesting the latter to commission him to form a presidial Ministry with full powers. The President flatly refused this demand on November 24, stating that he could not reconcile it with his oath of office or his conscience.⁴¹ A second direct attempt to bring the Nazis into the government had failed; Hitler still insisted on "all power or nothing."

41. Text of the Hindenburg-Hitler exchange of notes in Frankfurter Zeitung, November 25, 1932; cf. also *ibid.*, November 12 to 24, 1932; Der Zeitspiegel, 1st year, No. 23, December 3, 1932.

After thus rebuffing Hitler, President von Hindenburg on December 2 named General von Schleicher Chancellor, although the old Field Marshal had apparently endeavored to reappoint von Papen in whom he still had the highest confidence. It is reported that the declaration of several important Ministers⁴² that they would not serve in a new Papen Cabinet, added to von Papen's earnest request to the President to release him from responsibility, finally forced von Hindenburg to appoint von Schleicher.

The new presidial Cabinet, as finally constituted, had the following membership:⁴³

Chancellor and Minister of Defense, and Reich Commissioner for Prussia, General von Schleicher; Interior, Dr. Bracht; Labor, Dr. Syrup; Foreign Affairs, Baron von Neurath; Finance, Count Schwerin von Krosigk; Justice, Dr. Görtner; Posts, Baron von Eltz-Rübenach; Re-employment, Dr. Gereke; Agriculture, Baron von Braun; Commerce, Professor Warmbold; Without Portfolio, Dr. Popitz.

The composition of the new government showed that consideration had been given to the factors which had discredited von Papen's régime; namely, its outspoken anti-labor tendencies, which had resulted in many strikes and contributed to the increase in the Communist vote; the introduction of agricultural import contingents designed to benefit the bankrupt East Elbian landowners, which jeopardized Germany's already precarious foreign trade with the threat of serious retaliation; and the government's attempts to establish a strongly centralized state and to reform the constitution, which aroused animosity throughout South Germany and Prussia. The von Schleicher Cabinet attempted to remedy the situation by appointing a Minister of Labor more sympathetic to the workers; dropping the system of import contingents; and replacing the former Minister of the Interior, Baron von Gayl, with a man less conspicuously associ-

ated with schemes for constitutional reform.

Von Schleicher was reputed to be more conciliatory than his predecessor and slightly more acceptable to labor. The Ministerial Declaration of the new government, announced in a radio speech by the Chancellor on December 15, bore out this prediction. In this statement the new government's policy was summarized in one outstanding point: creation of work.

For the rest, von Schleicher both by omission and commission, attempted to allay the fears of the German people. He declared himself opposed to a military dictatorship, saying that one cannot "sit comfortably on bayonet points"; expressed himself in favor of increased settlement of unemployed on the land; and stated that he was neither a "capitalist nor a socialist." The Ministerial Declaration, moreover, contained nothing in regard to "authoritative government," there was no mention of "abolishing the state as a charity organization," and no word about reforming the constitution or the "divine and historical mission" of the government.⁴⁴

As an earnest of its conciliatory intentions, the government indicated to the trade unions immediately upon taking office that it would not be unwilling to renounce the blanket powers for revision of the social insurances which had formed a part of von Papen's September 5 emergency decree.⁴⁵ The Reichstag, which met from December 6 to 9, repealed this section of the decree and re-instituted the system of wage agreements.⁴⁶

During the first month after von Schleicher assumed office, there was apparent a noticeable relaxation throughout Germany. Political passions appeared to have somewhat subsided; there were a few visible signs of improvement in the economic situation; the year-end summaries of conditions were relatively optimistic;⁴⁷ the German people seemed to yearn for peace and stability after the financial and political crises of the past two years.

HITLER AND PAPEN ASSUME POWER

Suddenly, on January 28, 1933, the Schleicher government resigned when President von Hindenburg refused it power to dissolve a hostile Reichstag. On January 30 a new Cabinet took office, with Hitler as Chancellor and von Papen as Vice-Chancellor and Reich Commissioner for Prussia.

Von Schleicher's endeavors to gain the confidence of both Right and Left had been

unsuccessful. He had not only failed to induce the Nazis to accept governmental responsibilities, but his flirtation with the Trade Unions—although it strengthened his position to a certain extent—completely alienated the big industrialists and the Junkers. The Schleicher government, there-

44. Text of Ministerial Declaration in *Hamburger Fremdenblatt*, December 16, 1932.

45. Cf. p. 314.

46. *Der deutsche Volkswirt*, December 16, 1932.

47. Cf. *Der deutsche Volkswirt*, December 23, 1932; *Frankfurter Zeitung*, December 31, 1932; *Berliner Handelsgesellschaft*, confidential reports, Berlin, December 23, 30, 1932; Deutsche Bank und Disconto Gesellschaft, *Wirtschaftliche Mitteilungen*, January 14, 1933; *Vierteljahrsschriften zur Konjunkturforschung*, Hrsg. vom Institut für Konjunkturforschung, 7th year, Heft 3, Berlin, December 1932, Parts A and B.

42. The Ministers were: Baron von Neurath, Foreign Minister; Dr. Bracht, deputy Reich Commissioner for Prussia and member of the Reich government without portfolio; the Finance Minister, Count von Krosigk; and Dr. Popitz, a financial expert and also Minister without portfolio. Cf. *Der Zeitspiegel*, 1st year, No. 24, December 17, 1932; *Frankfurter Zeitung*, November 29 to December 3, 1932; also *Der deutsche Volkswirt*, December 9, 1932.

43. *Frankfurter Zeitung*, December 4, 5, 1932.

fore, would have faced the Reichstag without the support of a single party. The President's refusal to retain von Schleicher might appear to be a logical step toward re-introduction of parliamentary government.

For some weeks backstage negotiations between industrialists and Nazis had been in progress to induce Hitler to depart from his uncompromising position of "all power or nothing." The reported indebtedness of the National Socialist party to its industrialist friends, estimated at some twelve million marks, was probably a factor in the situation. Moreover, the large East Elbian landed interests had found it increasingly difficult to extract concessions from the Schleicher government, and the discovery by a Reichstag committee of financial graft in the administration of the *Osthilfe* fund⁴⁹ added to the Junkers' grievances against von Schleicher. News had leaked out of a meeting in Cologne on January 4 between Hitler and von Papen, at which discussion of a government of "national concentration" was admitted, although the participants flatly denied that they were trying to undermine von Schleicher's position. Von Papen's easy access to President von Hindenburg undoubtedly made it possible for him to persuade the aged Field Marshal of the necessity for a change of government, and to convince him of Hitler's qualifications.

His efforts evidently met with complete success: not only has von Schleicher been forced out, but the new government represents the most conservative elements in the Reich, which now have complete power. The Cabinet, in addition to Hitler and Papen, is composed as follows:

Hermann Goering (Nazi), Aviation and Acting Prussian Minister of the Interior
 Wilhelm Frick (Nazi), Interior
 Alfred Hugenberg (Nationalist), Agriculture and Commerce
 Franz Seldte (Nationalist), Labor
 General von Blomberg, Defense
 Count von Eltz-Rübenach, Posts and Communications
 Dr. Gereke, Commissioner for Re-employment
 Baron von Neurath, Foreign Affairs
 Count Schwerin von Krosigk, Finance

The outstanding feature of the Cabinet is its balance of Nazi and Nationalist Ministers, although the non-party Ministers are known to be close to the Nationalist party.

Furthermore, the retention of Finance Minister von Krosigk is regarded as insurance against monetary adventures; the retention of von Neurath at the Foreign Office is more or less a guarantee of unchanged foreign policy; and, the appointment of General von Blomberg, who is reported to be a soldier who has never engaged in political activities, assures under all circum-

stances the loyalty of the Reichswehr to President von Hindenburg. Despite these checks and balances, the views of the Ministers on many of the most important problems facing the Reich are so divergent that serious schisms within the Cabinet seem practically inevitable.

Since the new government could count definitely on only 247 votes in the Reichstag and, even with the aid of the smaller Right groups, lacked a majority by a margin of at least 25 votes, the support or toleration of the Catholic parties was indispensable. Negotiations between Hitler and Monsignor Kaas, the Centrist leader, were initiated on January 31. The next day, the Center party addressed a series of questions to Hitler to ascertain the government's intentions regarding observance of the Constitution; assistance to industry; possible reactionary social measures; and sound currency. Without replying to these inquiries, Hitler suddenly broke off negotiations and on February 1 the government announced the dissolution of the Reichstag, with new elections on March 5. Elections for the Prussian Diet—which was summarily dissolved on February 6 after President von Hindenburg had appointed von Papen head of the state government, apparently in direct violation of the constitutional principles defined by the Reich Supreme Court on October 25⁵⁰—are also scheduled for March 5.

The Hitler-Papen government faces the new elections with practically all the armed forces in the Reich under its control. In Prussia, moreover, wholesale dismissals of so-called "Marxist" officials have taken place and Nazis and Nationalists have been appointed to their posts. The Reich government has attempted further to strengthen its position by decreeing drastic restrictions on the freedom of the press and the right of assembly. This action, in addition to the government's exclusive control of all radio facilities, gives the Nazis and their Nationalist allies an unexampled opportunity to spread election propaganda, while their opponents are correspondingly hampered. The most important result of the government's repressive measures, however, has been a noticeable tendency on the part of German labor—Socialist, Communist and Catholic—to unite against the forces of reaction represented in the present government.

Whether these efforts will result in a victory for the present coalition on March 5 remains to be seen. If large gains are made by the Nazis, it is not improbable that they will attempt to eliminate their present Nationalist colleagues and rule alone. Developments in the Reich on and after March 5 will be watched with keen anxiety.

49. The money appropriated to assist bankrupt eastern agriculturists at Reich expense. Cf. *Der deutsche Volkswirt*, January 27, 1933.

50. Cf. p. 315.